



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region 1

5 Post Office Square, Suite 100

Boston, MA 02109-3912

DEC 18 2012

Certified Mail - Return Receipt Required

John P. Anderson
President, J.S.B Industries Inc., and
Trustee, 130 Crescent Ave Realty Trust
130 Crescent Ave.
Chelsea, MA 02150

Re: Request for Information Issued Pursuant to Section 114(a)(1) of the Clean Air Act (CAA), 42 U.S.C. § 7414(a)(1) - Prompt Reply Necessary

Dear Mr. Anderson:

On May 18 and 19, 2009, EPA conducted inspections at J.S.B. Industries Inc.'s Chelsea facility. The purpose of the inspections was, in part, to determine the company's compliance with Section 112(r)(1) of the amended Clean Air Act (CAA), 42 U.S.C. § 7412(r)(1). CAA Section 112(r)(1) mandates a federal focus on the prevention of chemical accidents. The objective of Section 112(r)(1) is to prevent accidental releases of substances that can cause serious harm to public health and the environment. Under these requirements, industry has the obligation to prevent chemical releases by (1) identifying hazards that might result in such releases, using appropriate hazard assessment techniques; (2) designing and maintaining a safe facility; and (3) minimizing the consequences of releases that do occur.

Section 114(a)(1) of the CAA, 42 U.S.C. § 7414(a)(1), gives EPA the authority to require a company to submit such information as EPA may reasonably require to determine compliance with the CAA. Although EPA had sufficient information to issue a CAA compliance order to the company, EPA requires responses to the enclosed list of questions to further its investigation of the company's CAA compliance. Note that EPA requested some of this information multiple times after the inspection but did not receive it. EPA is requesting responses to the enclosed questions (Attachment 2) by no later than **January 21, 2013**.

Compliance with this Information Request is mandatory. Failure to respond fully and truthfully, or to adequately justify any failure to respond by January 21, 2013 can result in an enforcement action by EPA pursuant to Section 113 of the CAA, 42 U.S.C. § 7413. This statute permits EPA to seek the imposition of penalties. This reporting requirement is not subject to Office of Management and Budget review under the Paperwork Reduction Act. Please be further advised

that provision of false, fictitious, or fraudulent statements or representations may subject you to criminal penalties.

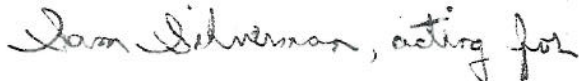
You may, if you desire, assert a business confidentiality claim covering part or all of the information requested, in the manner described by 40 C.F.R. § 2.203(b). You should read the above-cited regulations carefully before asserting a business confidentiality claim, since certain categories of information are not properly the subject of such a claim. If no such claim accompanies the information when it is received by EPA, the information may be made available to the public by EPA without further notice to you.

You are required to submit the above-referenced information to:

Len Wallace, RCRA, EPCRA and Federal Programs Unit
Office of Environmental Stewardship (Mail Code OES 05-1)
U. S. Environmental Protection Agency, Region 1
5 Post Office Square, Suite 100
Boston, Massachusetts 02109-3912

As part of your response, please complete the enclosed declaration (Attachment 1) and provide a cover letter carefully specifying what documentation is included to answer each question. If you have any questions with regard to this Information Request, please contact Mr. Len Wallace of my staff at (617) 918-1835.

Sincerely,

A handwritten signature in cursive script, appearing to read "Susan Studlien, acting for".

Susan Studlien, Director
Office of Environmental Stewardship

Enclosures

cc: Len Wallace, EPA

ATTACHMENT 1

Instructions: Complete and Include With Your Response

DECLARATION

I declare under penalty of perjury that I am the

_____ of _____,
[Title] [Name of Facility]

that I am authorized to respond on behalf of

_____, and
[Name of Facility]

that the foregoing is a complete, true, and correct response.

Executed on _____
[Date]

[Signature]

[Type Name and Title]

ATTACHMENT 2

Guidance on How to Respond. You must submit all responsive documents. Please respond separately to each of the questions, referencing each question by number in your answer. The response must include copies of all records and information which you reference in your response or which you feel are relevant to the information being requested. "Records" and "information" and "document" means the original or an identical and readable copy thereof, and all non-identical copies (whether different from the original by reason of notation made on such copies or otherwise), of any writings or records (**including electronic records**) of any type or description, however created, produced or reproduced.

As part of your response, please complete the enclosed declaration (Attachment 1) and provide a cover letter carefully specifying what documentation is included to answer each question. (If documents included in response to one item are also responsive to other questions, indicate that but submit only one copy of the documentation.) Your submission must be a self-explanatory, complete response that is dated and signed by an authorized facility official.

Continuing Obligation to Provide/Correct Information. If additional information or documents responsive to these questions become known or available after answering this request, including, but not limited to, specific information that may be deemed *unknown* at the time of your response, EPA hereby requests, pursuant to Section 114(a)(1) of the CAA, 42 U.S.C. § 7414(a)(1), that you supplement your response to EPA within ten (10) days of discovering such information. If at any time after the submission of this response, you discover or believe that any portion of the submitted information is incomplete or misrepresents the truth, notify Len Wallace of this fact as soon as possible and provide EPA with a corrected response. Provide a separate numbered response to each numbered paragraph or subparagraph below. To the extent that you believe that you have answered a question in another section, please refer to the section and answer you have provided.

1. Provide official engineering diagrams for the ammonia refrigeration system that existed at J.S.B. Industries, Inc.'s Chelsea facility before the company switched to another type of refrigeration/freezing system;
2. Provide a copy of the daily inspection log for the ammonia system on the start-up day in 2006, for April 1, 2009 (the date of the ammonia release), and for three days prior to the ammonia release;
3. Provide a copy of the company's Emergency Response Plan at the time of the April 1, 2009 ammonia release;
4. Provide the date the Chelsea facility's ammonia refrigeration system was first charged with ammonia.
5. Provide a copy of the inspection protocol and records from 2006 through 2010 for oil removal and for maintenance of seals, pumps, and valves.
6. Indicate whether, at the time of the April 1, 2009 ammonia release, there were any ventilation system controls or refrigeration system shut-offs located outside the engine room. If so, please describe them and provide a diagram indicating their location.
7. Provide a copy of any audits or hazard analyses that have been completed since 2006 with regard to J.S.B. Industries, Inc.'s handling and storage of ammonia at the Chelsea facility, including, without limitation, audits or hazard analyses completed by insurance companies, process safety management specialists, the Local Emergency Planning Committee, etc.
8. Provide information on J.S.B. Industries, Inc.'s net worth and annual sales for 2011 and 2012.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece

Mr. John P. Anderson, President
J.S.B. Industries Inc., and
Trustee, 130 Crescent Ave Realty Trust
130 Crescent Ave
Chelsea, MA 02150

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2. Article Number

(Transfer from service label)

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PS Form 3811, February 2004

Domestic Return Receipt

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